



General Assembly

**Substitute Bill No. 6419**

January Session, 2009

\* \_\_\_\_\_HB06419KIDHS\_030309\_\_\_\_\_\*

**AN ACT CONCERNING THE POLICIES, PRACTICES AND  
PROCEDURES OF THE DEPARTMENT OF CHILDREN AND  
FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) The Department of Children and  
2       Families shall incorporate, within available appropriations, the  
3       following questions related to the treatment of animals into its  
4       screening, intake, investigation, assessment and follow up interviews  
5       by October 1, 2009:

6       (1) Have you or your family ever had any pets? What happened to  
7       them?;

8       (2) Do you have a pet or pets now? Tell me about them. What are  
9       their names?;

10      (3) Have you ever lost a pet you really cared about? What  
11      happened?;

12      (4) Has your pet ever been hurt?;

13      (5) Have you ever felt afraid for your pet or worried about bad  
14      things happening to your pet?;

15      (6) Has anybody ever tried to make you do something you did not

16 want to do by threatening to hurt your pet? What happened?;

17 (7) Have you ever seen someone hurt an animal or pet? What  
18 happened?;

19 (8) Have you ever hurt an animal or pet? What happened?;

20 (9) What happens when your family pet misbehaves?; and

21 (10) Have you ever been punished for something your pet did, like  
22 getting into the trash? Or has your pet ever been punished for  
23 something you did, like not doing the dishes when you were told to?.

24 Sec. 2. (NEW) (*Effective October 1, 2009*) The Department of  
25 Agriculture and animal control officers shall report any incident of  
26 animal cruelty or neglect to the Department of Children and Families.

27 Sec. 3. (NEW) (*Effective October 1, 2009*) The Department of Children  
28 and Families shall administer, within available appropriations, animal-  
29 assisted therapy for children in its care, custody or control utilizing the  
30 information and methods described in publications of the American  
31 Humane Association related to the connection between maltreated  
32 children and animals.

33 Sec. 4. (NEW) (*Effective October 1, 2009*) The Department of Children  
34 and Families shall immediately notify a noncustodial parent every  
35 time the department has contact or communicates with such parent's  
36 child.

37 Sec. 5. Section 17a-111b of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective October 1, 2010*):

39 (a) The Commissioner of Children and Families shall make  
40 reasonable efforts to reunify a parent with a child unless the court (1)  
41 determines that such efforts are not required pursuant to subsection  
42 (b) of this section or subsection (j) of section 17a-112, or (2) has  
43 approved a permanency plan other than reunification pursuant to  
44 subsection (k) of section 46b-129.

45       (b) The Commissioner of Children and Families or any other party  
46 may, at any time, file a motion with the court for a determination that  
47 reasonable efforts to reunify the parent with the child are not required.  
48 The court shall hold an evidentiary hearing on the motion not later  
49 than thirty days after the filing of the motion or may consolidate the  
50 hearing with a trial on a petition to terminate parental rights pursuant  
51 to section 17a-112. The court may determine that such efforts are not  
52 required if the court finds upon clear and convincing evidence that: (1)  
53 The parent has subjected the child to the following aggravated  
54 circumstances: (A) The child has been abandoned, as defined in  
55 subsection (j) of section 17a-112; or (B) the parent has inflicted or  
56 knowingly permitted another person to inflict sexual molestation or  
57 exploitation or severe physical abuse on the child or engaged in a  
58 pattern of abuse of the child; (2) the parent has killed, through  
59 deliberate, nonaccidental act, another child of the parent or a sibling of  
60 the child, or has requested, commanded, importuned, attempted,  
61 conspired or solicited to commit or knowingly permitted another  
62 person to commit the killing of the child, another child of the parent or  
63 sibling of the child, or has committed or knowingly permitted another  
64 person to commit an assault, through deliberate, nonaccidental act,  
65 that resulted in serious bodily injury of the child, another child of the  
66 parent or a sibling of the child; (3) the parental rights of the parent to a  
67 sibling have been terminated within three years of the filing of a  
68 petition pursuant to this section, provided the commissioner has made  
69 reasonable efforts to reunify the parent with the child during a period  
70 of at least ninety days; (4) the parent was convicted by a court of  
71 competent jurisdiction of sexual assault, except a conviction of a  
72 violation of section 53a-71 or 53a-73a resulting in the conception of the  
73 child; or (5) the child was placed in the care and control of the  
74 commissioner pursuant to the provisions of sections 17a-57 to 17a-61,  
75 inclusive.

76       (c) If the court determines that such efforts are not required, the  
77 court shall, at such hearing or at a hearing held not later than thirty  
78 days after such determination, approve a permanency plan for such

79 child. The plan may include (1) adoption and a requirement that the  
80 commissioner file a petition to terminate parental rights, (2) long-term  
81 foster care with a relative licensed as a foster parent or certified as a  
82 relative caregiver, (3) transfer of guardianship, or (4) such other  
83 planned permanent living arrangement as may be ordered by the  
84 court, provided the commissioner has documented a compelling  
85 reason why it would not be in the best interests of the child for the  
86 permanency plan to include one of the options set forth in subdivisions  
87 (1) to (3), inclusive, of this subsection. The child's health and safety  
88 shall be of paramount concern in formulating such plan.

89 (d) If the court determines that reasonable efforts to reunify the  
90 parent with the child are not required, the Department of Children and  
91 Families shall use its best efforts to maintain the child in the initial out-  
92 of-home placement, provided the department determines that such  
93 placement is in the best interests of the child, until such time as a  
94 permanent home for the child is found or the child is placed for  
95 adoption. If the permanency plan calls for placing the child for  
96 adoption or in some other permanent home, good faith efforts shall be  
97 made to place the child for adoption or in some other permanent  
98 home.

99 (e) The Commissioner of Children and Families shall submit, within  
100 available appropriations, an annual report to the select committee of  
101 the General Assembly having cognizance of matters relating to  
102 children, in accordance with the provisions of section 11-4a, on all  
103 actions taken by the Department of Children and Families to (1) keep a  
104 child with a parent prior to any removal order; (2) reunify each child  
105 with a parent; (3) locate a parent of each child; (4) locate a relative  
106 caregiver of each child; and (5) achieve each permanency plan.

107 Sec. 6. (NEW) (*Effective October 1, 2009*) The Commissioner of  
108 Children and Families shall submit, within available appropriations,  
109 an annual report to the select committee of the General Assembly  
110 having cognizance of matters relating to children, in accordance with  
111 the provisions of section 11-4a of the general statutes, regarding (1) the

112 results of Connecticut comprehensive objective reviews, including any  
113 recommendations contained in such reviews and any steps taken by  
114 the Department of Children and Families to implement such  
115 recommendations; (2) the aggregate data from each administrative  
116 case review, including any information regarding the strengths and  
117 deficiencies of the department's case review process; and (3) any steps  
118 the department is taking to address department-wide deficiencies.

119     Sec. 7. (NEW) (*Effective October 1, 2009*) The Commissioner of  
120 Children and Families shall (1) determine measurable outcomes for  
121 each child who receives services from a private provider pursuant to  
122 such provider's contract with the Department of Children and  
123 Families; (2) incorporate such outcomes into the department's contract  
124 with each such provider; and (3) hold each such provider accountable  
125 for failing to achieve such measurable outcomes.

126     Sec. 8. (NEW) (*Effective October 1, 2009*) The Department of Children  
127 and Families shall include the following information in each document  
128 of the department entitled study in support of permanency plan and  
129 status report for permanency planning team, except when otherwise  
130 directed by the Juvenile Court: (1) A description of any problems or  
131 offenses that necessitated the placement of the child with the  
132 department; (2) a description of the type and an analysis of the  
133 effectiveness of the care, treatment and supervision that the  
134 department has provided for the child; (3) a list of each placement  
135 made since the child has been in the care, custody or control of the  
136 department and the length of time the child has spent in each  
137 placement; (4) a list of every school the child has attended since the  
138 child has been in the care, custody or control of the department and  
139 the length of time the child has spent in each school; (5) for each child  
140 in substitute care, the current visitation schedule between the child and  
141 his parents and siblings; (6) a description of every effort taken by the  
142 department to reunite the child with a parent or to find a permanent  
143 placement for the child, including, where applicable, every effort to  
144 assist each parent in remedying factors that contributed to the removal  
145 of the child from the home; (7) a proposed timetable for reunification

146 of the child and a parent, a permanent placement if continued  
147 substitute care is recommended or a justification of why extended  
148 substitute care is necessary; and (8) whether the child has been visited  
149 no less frequently than every three months by a state or private agency  
150 if the child has been placed in foster care outside this state.

151 Sec. 9. Section 46b-129 of the general statutes is amended by adding  
152 subsection (r) as follows (*Effective October 1, 2010*):

153 (NEW) (r) In any proceeding under this section, the Department of  
154 Children and Families shall provide notice to every attorney of record  
155 for each party involved in the proceeding when the department seeks  
156 to transfer a child or youth in its care, custody or control to an out-of-  
157 state placement.

158 Sec. 10. Subdivision (2) of subsection (k) of section 46b-129 of the  
159 general statutes is repealed and the following is substituted in lieu  
160 thereof (*Effective October 1, 2009*):

161 (2) At a permanency hearing held in accordance with the provisions  
162 of subdivision (1) of this subsection, the court shall approve a  
163 permanency plan that is in the best interests of the child or youth and  
164 takes into consideration the child's or youth's need for permanency.  
165 The child's or youth's health and safety shall be of paramount concern  
166 in formulating such plan. Such permanency plan may include the goal  
167 of (A) revocation of commitment and reunification of the child or  
168 youth with the parent or guardian, with or without protective  
169 supervision; (B) transfer of guardianship; (C) long-term foster care  
170 with a relative licensed as a foster parent or certified as a relative  
171 caregiver; (D) adoption and filing of termination of parental rights; or  
172 (E) such other planned permanent living arrangement ordered by the  
173 court, provided the Commissioner of Children and Families has  
174 documented a compelling reason why it would not be in the best  
175 interest of the child or youth for the permanency plan to include the  
176 goals in subparagraphs (A) to (D), inclusive, of this subdivision. Such  
177 other planned permanent living arrangement may include, but not be

178 limited to, placement of a child or youth in an independent living  
179 program or long term foster care with an identified foster parent.  
180 When any such permanency plan includes the goal of revocation of  
181 commitment and reunification of the child or youth with the parent or  
182 guardian, the Department of Children and Families shall permit the  
183 parent to visit with the child or youth at least once a week in a  
184 designated place.

185 Sec. 11. Subsection (a) of section 17a-111b of the general statutes is  
186 repealed and the following is substituted in lieu thereof (*Effective*  
187 *October 1, 2010*):

188 (a) The Commissioner of Children and Families shall make  
189 reasonable efforts to [reunify] reunite a parent with a child and permit  
190 the parent to visit with the child at least once a week in a designated  
191 place unless the court (1) determines that such efforts are not required  
192 pursuant to subsection (b) of this section or subsection (j) of section  
193 17a-112, or (2) has approved a permanency plan other than  
194 reunification pursuant to subsection (k) of section 46b-129.

195 Sec. 12. (NEW) (*Effective October 1, 2009*) The Department of  
196 Children and Families shall require every employee who directly  
197 provides service in any case (1) where a child's mental health is at  
198 issue, (2) where sexual abuse has been reported, or (3) that involves  
199 more complex issues than the average child protection case, to have  
200 earned a master's degree in a relevant field of study and undergone the  
201 requisite training, as designated by the Commissioner of Children and  
202 Families.

203 Sec. 13. Subsection (a) of section 17a-10a of the general statutes is  
204 repealed and the following is substituted in lieu thereof (*Effective*  
205 *October 1, 2009*):

206 (a) The Commissioner of Children and Families shall ensure that a  
207 child placed in the care and custody of the commissioner pursuant to  
208 an order of temporary custody or an order of commitment is provided  
209 visitation with such child's parents and siblings, unless otherwise

210 ordered by the court. No court shall suspend or revoke a child's  
 211 visitation with such child's parents or siblings without first holding an  
 212 evidentiary hearing, except in the case of an emergency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	New section
Sec. 4	<i>October 1, 2009</i>	New section
Sec. 5	<i>October 1, 2010</i>	17a-111b
Sec. 6	<i>October 1, 2009</i>	New section
Sec. 7	<i>October 1, 2009</i>	New section
Sec. 8	<i>October 1, 2009</i>	New section
Sec. 9	<i>October 1, 2010</i>	46b-129
Sec. 10	<i>October 1, 2009</i>	46b-129(k)(2)
Sec. 11	<i>October 1, 2010</i>	17a-111b(a)
Sec. 12	<i>October 1, 2009</i>	New section
Sec. 13	<i>October 1, 2009</i>	17a-10a(a)

**KID**

**Joint Favorable Subst. C/R**

**HS**